

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**TIFFANY DORN, DANIEL SULLEN,)
and JOSHUA RENFROE, individually)
and on behalf of all others similarly)
situated,)
) NO.:2:19-CV-258-MHT-JTA
Plaintiffs,)
) CLASS ACTION
v.)
) JURY TRIAL DEMANDED
VIVINT, INC.,)
)
Defendant.)**

JOINT STATUS REPORT REGARDING MEDIATION

Plaintiffs Tiffany Dorn, Daniel Sullen, and Joshua Renfroe and Defendant Vivint, Inc. (collectively, the “Parties”) jointly notify the Court regarding the status of the Parties’ planned mediation as follows:

1. As noted in their prior Joint Motion, (Doc. 127), the Parties have agreed to mediate their claims and defenses asserted in this litigation.
2. At the time of filing that Motion, the Parties had agreed to the terms and scope of the proposed mediation (which terms and scope remain agreed to) and had selected a mediator.
3. The Parties further anticipated that the mediation would take place sometime in July or August of 2021, having secured a mutually agreeable date for the Parties and mediator in July but also seeking additional availability in August to

accommodate the preparation of materials and information needed for increasing the likelihood of a successful mediation.

4. Those materials included data requested by Plaintiffs additional to that exchanged during discovery. Providing that data required more time than the Parties anticipated, necessitating cancelling the original mediation dates.

5. At this time, Vivint has provided the requested data to Plaintiffs, and the Parties believe they have sufficient information with which to mediate. The originally selected mediator, however, will not be available at a mutually agreeable time until at least April (but has yet to release the days in April for which the parties could even mediate).

6. As such, the Parties have discussed alternative mediators in order to find another neutral party who could assist in attempts to resolve this matter more expeditiously. At this time, the Parties have exchanged a number of proposed mediators who could be available for mediation no later than March of this year. The Parties further anticipate selecting a mediator and procuring a mediation date this week.

Respectfully submitted this 1st day of February, 2022.

With permission:

/s/ Jonathan S. Mann

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